



Arizona House of Representatives  
1700 West Washington Street  
Phoenix, Arizona 85007

July 6, 2020

To:  
Chief Justice Brutinel

CC:  
Jerry Landau  
Liana Garcia

Justice Brutinel,

We write to express our concern for the health and safety of our state's recent law graduates – future members our legal community – who are scheduled to take the upcoming July bar exam.

We are alarmed that the July bar exam has been scheduled to proceed, despite the fact that our state is in the midst of a COVID-19 pandemic which has rapidly worsened in the recent weeks.

We have learned that students have a very short timeline (until July 10<sup>th</sup>) to decide whether to sit for the July bar exam, or to select to take an online, non-UBE exam in October, about which they've been given very little information. We have also learned that an [Emergency Petition](#) by several recent graduates to amend Rule 34 to provide for Diploma Privilege - which would allow law school graduates to practice law without having to risk their health and safety by taking the bar exam in the middle of a pandemic – was abruptly denied without opportunity for public comment.

Arizona has seen a rapid and exponential spike in rates of COVID-19 across the state, and it is likely to continue for at least several more weeks, if not months. Our hospitals are facing shortages of both ICU beds and staff and have been authorized to initiate emergency standards of care. Our state and city officials are trying desperately slow spread by closing bars, gyms, and restaurants, and requiring masks in public spaces.

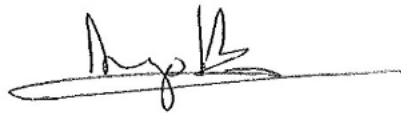
An outbreak resulting from a prolonged, two-day, indoor gathering the size of the bar exam could overwhelm our local healthcare systems. To bring together hundreds of people, many coming in from other cities and states, and require them to sit in a room together for 7+ hours per day is a dangerous proposition at this time, and one that would seem to pose a threat not only to the health of those individuals, but to our community at large.

We are concerned that the current plan for a July in-person exam in effects forces students to take an unreasonable risk to their personal health and safety.

We urge you to consider either postponing the July Bar Exam or reversing your denial of the student's Emergency Petition to Amend Rule 34 to allow a Diploma Privilege for 2020 graduates of Arizona's law schools. Like the Diploma Privilege offered in the states of Washington, Utah and Oregon, a Diploma Privilege here would allow Arizona's law school graduates to qualify to practice law without needing to risk their lives by taking the bar exam in person. Individuals who are not 2020 graduates of an Arizona law school may still take the October online test in order to practice in-state. Given the present public health crisis due to COVID-19, we believe this suite of options fully satisfies the needs of those applying to practice law in Arizona.

We would like to request an urgent meeting to discuss this matter further, preferably before July 10<sup>th</sup>.

Sincerely,



Diego Rodriguez  
State Representative, LD 27



Charlene Fernandez  
Minority Leader, LD 4



Kirsten Engel  
State Representative, LD 10



Jennifer Pawlik  
State Representative, LD 17



Domingo DeGrazia  
State Representative, LD 10